

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TERRA FIRMA INVESTMENTS (GP) 2 :
LIMITED (for and on behalf of the six :
limited partnerships constituting the :
Terra Firma Capital Partners II :
Fund), and TERRA FIRMA INVESTMENTS :
(GP) 3 LIMITED (for and on behalf of :
Terra Firma Capital Partners III, :
L.P.), :
:

Plaintiffs, :

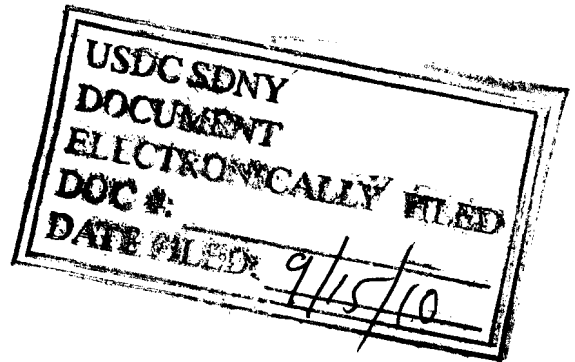
-v- :

CITIGROUP INC., CITIBANK N.A., :
CITIGROUP GLOBAL MARKETS LIMITED, and :
CITIGROUP GLOBAL MARKETS, INC., :
:

Defendants. :
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09 Civ. 10459 (JSR)

ORDER



JED S. RAKOFF, U.S.D.J.

Plaintiffs Terra Firma Investments (GP) 2 Limited and Terra Firma Investments (GP) 3 Limited (collectively, "Terra Firma") have brought suit against defendants Citigroup Inc., Citibank N.A., Citigroup Global Markets Limited, and Citigroup Global Markets, Inc. (collectively, "Citi"), alleging that Citi engaged in fraudulent misrepresentation, negligent misrepresentation, fraudulent concealment, and tortious interference with prospective economic advantage, all in connection with Terra Firma's acquisition of and interest in the well-known music company, EMI Group. Following extensive discovery, defendants filed for summary judgment on August 13, 2010, seeking dismissal of all claims. After receiving full briefing from the parties, the Court heard oral argument on September 10, 2010.

Upon careful consideration, the Court partially grants the motion to the extent of dismissing the negligent misrepresentation and tortious interference claims, but denies the motion as to the claims for fraudulent misrepresentation and fraudulent concealment. Accordingly, the latter two claims will proceed to trial on October 18, 2010.

An Opinion setting forth the reasons for these rulings will issue in due course. Meanwhile, the Clerk of the Court is directed to close document number 57 on the docket of the case.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
September 14, 2010